

Exhibit 17

INCIDENT REPORT

SCDC 15 A

SP3

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8/31/10
12.9

Institution/Center: <u>BALI / SMU</u>				
Date of Report: <u>8/23/10</u>			Time of Report: <u>approx 6:45 pm</u>	
Reporting Official: <u>Sgt. K. Moore (032883)</u>			Date of Incident: <u>8/23/10</u>	
Location of Incident: <u>Saluda Cell 130</u>			Time of Incident: <u>approx 4:53 pm</u>	
Inmate(s)/Resident:	SCDC#	Age	Race	Sex
1. <u>Mann, Anthony</u>	<u>242498</u>		<u>W</u>	<u>M</u>
2.				
3.				
4.				
5.				
Employee(s) Involved:			1. <u>Listed Below</u>	
			2.	
			3.	
			4.	
			5.	

On the above date and approximate time: The force cell movement team was assembled to extract inmate Anthony Mann SCDC #242498 from his cell Saluda 130. Upon entering the cell inmate Mann threw bottles of feces towards the entire team. Inmate Mann threw approximately 13-18 bottles of feces, which struck every member of the team including the camera man and narrator.

Signature:

Sgt. K. Moore (032883)Evidence: Pictures #6159 thru 179 on digital cameraWitness(es): Off. S. Cook, Off. C. Mangenelli, Cpl. V. Manley, Off. McNeal, Cpl. Ray, Lt. Simmons.Supervisor's Comments: FORWARD TO MAJORSUITON FOR FURTHER ACTION

Signature:

[Signature]

Title:

LTDate/Time: 8/23/10

Major/Responsible Authority:

819 Throwing of any Substance

Signature:

S. Smith

Title:

MajorDate: 8/30/10

STG Related - Refer to STG Committee
☐ Yes ☐ No ☐ Unknown

This Incident is DRUG related
☐ Yes ☐ No ☐ Unknown

Action Taken

☐ Informal Resolution
☐ Administrative Resolution
☒ Refer to Disciplinary Hearing

NORTH CAROLINA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT AND HEARING RECORD

Case#: 00068 Inmate Name: Mann, Anthony SCDC#: 242498
 Living Area: S0125A S0206 Job: Locked-Up Custody: SP3
 Offense Date: 08/23/10 Offense Time: 4:53 AM/PM Institution: BRCI
 Offense Description: 813/ Throwing of any Substance or Object on an SCDC
Employee or other Government Employee, Contract Employee, or
Volunteer:....

Charging Officer/Employee: K. Moore Title: Sgt
 INMATE NOTIFICATION: YOU WILL APPEAR BEFORE A HEARING OFFICER 24 HOURS OR MORE AFTER YOUR RECEIPT OF
 THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT.

INMATE WAIVERS:

- ☐ I GIVE UP MY RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING.
☐ I DO NOT WANT TO BE PRESENT AT MY HEARING ☐ I WAIVE MY RIGHT TO A HEARING
☒ DO WANT MY ACCUSER PRESENT AT THE HEARING **SMU/SEGREGATION ONLY**
☐ I DO NOT WANT MY ACCUSER PRESENT AT THE HEARING ☐ I WANT A COUNSEL SUBSTITUTE
☒ I DO NOT WANT A COUNSEL SUBSTITUTE

Date & Time Notified: 9/8/10 6:10 AM/PM By (Print): Lt. W. H. Simmons
 Inmate Signature: [Signature] SCDC#: 242498 Date: 9/8/10

HEARING INFORMATION:

Hearing Date: <u>9/17/2010</u>	Hearing Time: <u>10:15</u> am/pm	Tape: <u>17</u>	Side: <u>B</u>	Start: <u>000</u>	End: <u>098</u>
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EXPLAIN BELOW BY NUMBER: (1) IF COUNSEL SUBSTITUTE WAS NOT PRESENT DURING PART OF THE HEARING; (2) IF ACCUSED WAS EXCLUDED FROM ANY PART OF THE EVIDENCE STAGE; IF ANY (3) WITNESSES, (4) DOCUMENTATION, OR (5) EVIDENCE WAS EXCLUDED FROM THE HEARING; OR (6) IF INMATE WAS DENIED CONFRONTATION QUESTIONING AND/OR CROSS EXAMINATION OF A WITNESS AT THE HEARING.

9/10/10 Accuser not notified. Inmate question attached. Capt. Wilson and Sgt. Wright denied as witnesses, due to the fact that they had no evidence that was important to this case.

OFFENSE CODES	<u>B13</u>	*			
INMATE PLEA (G, NG, None)	<u>NG</u>				
FINDINGS (G, NG, DS)	<u>G</u>				

IF GUILTY, EVIDENCE PRESENTED CONSIDERED AND REASONS FOR DETERMINATION OF GUILT: (A) ADMISSION OF GUILT; (B) OFFICER'S REPORT; (C) WITNESS TESTIMONY; (D) OTHER. EXPLAIN IN DETAIL: pictures of evidence
testimony

HEARING LENGTH: 8 (MINUTES)

SANCTIONS:

Loss of Privileges (Days) _____ Reprimand: _____ Loss of Good Time (days): _____
 * Property (Days) _____ Extra Duty: _____ Restitution: \$ _____ **
 * Canteen (Days) 180 + 180
 * Other phone (Days) 180 + 180
 * Disciplinary Detention (Days): 180
 Visit Suspension Thru / 180 + 180
 Cell Restriction (Days): _____

SPECIFIC FACTUAL REASON(S) FOR PARTICULAR PUNISHMENT IMPOSED: Nature of Offense